

JOURNAL OF THE HOUSE.

Monday, November 18, 2013.

Met according to adjournment at eleven o'clock A.M., with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of
allegiance.

Message from the Governor.

A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the charter amendments approved at the May 15, 2006 annual town meeting held in the town of Swampscott (House, No. 3768), was filed in the office of the Clerk on Friday, November 15. Swampscott,—
charter.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Resolutions.

Resolutions (filed with the Clerk by Ms. Fox of Boston) honoring Carol Bradley Moore on the occasion of her retirement, were referred, under Rule 85, to the committee on Rules. Carol
Bradley
Moore.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Chan of Quincy, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

Communications

From the Nantucket Regional Transit Authority (see section 8(g) of Chapter 161B of the General Laws) submitting its annual report for the fiscal year 2013; and Nantucket
Transit
Authority.

From the Massachusetts Medicaid Delivery Model Advisory Committee (see Section 178 of Chapter 131 of the Acts of 2010, as amended by Section 41 of Chapter 9 of the Acts of 2011 and Section 145 of Chapter 139 of the Acts of 2012) submitting its report relative to its study of the comparative costs and benefits of different care delivery models for the Medicaid program including, but not limited to, all-managed care, a state-contracted chronic disease management program and patient-centered medical homes; Medicaid
advisory
committee.

Severally were placed on file.

Petition.

Mr. Scibak of South Hadley presented a petition (accompanied by bill, House, No. 3769) of John W. Scibak and Stanley C. Rosenberg Hadley,—
liquor
licenses.

Hadley,—
liquor
licenses.

(by vote of the town) that the town of Hadley be authorized to increase the number of licenses for the sale of alcoholic beverages in said town; and the same was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Boston,—
Richard
Gale
bridge.

Mr. Scaccia of Boston presented a petition (subject to Joint Rule 12) of Angelo M. Scaccia and Michael F. Rush for legislation to designate a certain bridge in the city of Boston as the PFC Alvin Richard Gale memorial bridge; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Papers from the Senate.

Westborough,—
liquor
license.

The House Bill authorizing the town of Westborough to grant an additional license for the sale all alcoholic beverages to be drunk on the premises (House, No. 3471, changed), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in lines 4 and 5, by striking out the following: “to the Bay State Commons located at 12 Union street” and inserting in place thereof the words “. The license shall be restricted to a restaurant operating in the Downtown Planning Overlay District to promote downtown revitalization and economic vitality”; and in said section 1, by striking out the words “any other location” (as changed by the committee on Consumer Protection and Professional Licensure) and inserting in place thereof the words “a location outside the Downtown Planning Overlay District”.

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Bills

Financial
Literacy.

To provide further revenue to the Financial Literacy Trust Fund (Senate, No. 1337) (on a petition);

Resuscitation
certification.

Relative to cardiopulmonary resuscitation certification for athletic coaches (Senate, No. 1918) (on Senate bill No. 231);

Newborn,—
heart
defects.

Relative to newborn plus oximetry screenings for congenital heart defects (Senate, No. 1919, amended in section 3, in line 27, by striking out the date “July 1, 2014” and inserting in place thereof the date “January 1, 2015”);

Metro-West,—
status of women.

Establishing the Metro-West commission on the status of women and girls (Senate, No. 1920) (on Senate bill No. 1842, changed); and

Veterans,—
discrimination.

Preventing discrimination based on veteran’s status (Senate, No. 1921) (on Senate bill No. 1898);

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Robert A. DeLeo, Martha Coakley (Attorney General) and others relative to the requirement of residential property owners to purchase or pay for flood insurance. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Financial Services. Sent to the Senate for concurrence.

Residential property.—flood insurance.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the joint petition of Stephen Kulik, Karen E. Spilka and others relative to borrowing by municipalities. Under suspension of the rules, on motion of Mr. Speliotis of Danvers, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Municipal borrowing.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill authorizing the commissioner of capital asset management and maintenance to convey certain land to the city of Newton (House, No. 3669) [Local Approval Received], ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Newton,—land.

Mr. Kafka of Stoughton, for said committee, reported recommending that the bill be scheduled for consideration by the House.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Norwood to change the use of a recreation department parcel and to erect and constitute an Eastern Massachusetts Regional Ice Skating Rink and Recreation Center (House, No. 3712), be scheduled for consideration by the House:

Norwood,—skating rink.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. Speliotis of Danvers, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Conroy of Wayland, for the committee on Labor and Workforce Development, on a petition, a Bill relative to prevailing wages (House, No. 1752). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Prevailing wages.

Americans with Disabilities Act,— compliance.

By Mr. Conroy of Wayland, for the committee on Labor and Workforce Development, on a petition, a Bill to increase the Commonwealth's compliance with federal law meeting requirements of the Americans with Disabilities Act (House, No. 136).

Workers' compensation.

By the same member, for the same committee, on a petition, a Bill relative to the penalty for failure to timely report injuries under the workers' compensation act (House, No. 1737).

Id.

By the same member, for the same committee, on a petition, a Bill relative to strengthening the civil penalties of stop work orders under the workers' compensation statute (House, No. 1760).

Id.

By the same member, for the same committee, on Senate, No. 866 and House, No. 1698, a Bill providing for burial benefits under the workers' compensation act (House, No. 3766).

Double utility poles.

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on Senate, No. 1576 and House, Nos. 2921, 2944, 2945, 2952, 2956 and 2977, a Bill relative to double utility poles (House, No. 2945).

Natural gas leaks.

By the same member, for the same committee, on Senate, Nos. 1580, 1594, 1596, 1597 and 1621 and House, Nos. 2917, 2924, 2933, 2950, 2962 and 2990, a Bill relative to natural gas leaks (House, No. 3765).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Wages,— payment frequency.

By Mr. Conroy of Wayland, for the committee on Labor and Workforce Development, on a petition, a Bill relative to the payment of wages (House, No. 1776). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

Somerville,— Mario Oliveria.

Directing the Somerville retirement board to retire Mario Oliveria, a police officer of the city of Somerville (House, No. 3654) [Local Approval Received]; and

Milford,— town treasurer.

Authorizing the board of selectmen of the town of Milford to appoint the town treasurer (House, No. 3740) [Local Approval Received];

Under suspension of Rule 7A, in each instance, on motion of the same member, the bills were read a second time forthwith; and they were ordered to a third reading.

Emergency Measure.

Martitza Miranda,— sick leave.

The engrossed Bill establishing a sick leave bank for Martitza Miranda, an employee of the Department of Children and Families (see House, No. 3693), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 6 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

Engrossed Bills.

Engrossed bills

Establishing a sick leave bank for Jason Saunders, an employee of the Department of Correction (see Senate, No. 1875); and Bills enacted.

Establishing a sick leave bank for Jessica Culver, an employee of the Department of Mental Health (see Senate, No. 1888); (Which severally originated in the Senate); and

Establishing a sick leave bank for Mary Ford, an employee of the Department of Correction (see House, No. 3620) (which originated in the House);

In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Engrossed bills

Extending the Environmental Joint Powers Agreement that created the A-B-C Stormwater Flooding Board (see Senate, No. 1857) (which originated in the Senate); and Id.

Relative to the powers and duties of the town manager of the town of Hanover (see House, No. 3543); and

Authorizing the town of Concord to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 3615, amended);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

*Motions to Discharge Certain Matters
in the Orders of the Day.*

The following bills having been discharged from their position in the Orders of the Day and read a second time forthwith, under suspension of Rule 47, in each instance, on motion of Mr. Kafka of Stoughton:

Senate bills

Authorizing the city of Fall River to use certain park land for combined sewer overflow control (Senate, No. 1851) [Local Approval Received]; and Fall River,—
park land.

and

Amending the charter of the town of Sandwich (Senate, No. 1884) [Local Approval Received]; and Sandwich,—
charter.

House bills

Relative to the Nantucket Memorial Airport Fuel Revolving Account (House, No. 3626) [Local Approval Received]; and Nantucket,—
airport.

Authorizing the West Barnstable Fire District to fund library services for Whelden Memorial Library (House, No. 3648); Whelden
Memorial
Library.

Severally were ordered to a third reading.

Hospital
indemnity.

The House Bill [sic] hospital indemnity insurance policies (House, No. 867), was discharged from its position on the Calendar and read a second time forthwith, under suspension of Rule 47, on motion of Mr. Kafka of Stoughton.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3730),— was adopted; and the substituted bill was ordered to a third reading.

Recesses.

Recesses.

At twenty-two minutes before twelve o'clock noon, on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at twenty minutes after one o'clock, the House was called to order with Mr. Donato in the Chair.

The House thereupon took a further recess, on motion of Mr. Jones of North Reading, until half past two o'clock; and at ten minutes before three o'clock the House was called to order with Mr. Donato of Medford in the Chair.

Quorum.

Quorum.

Mr. Peterson of Grafton thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,—
yea and nay
No. 255.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 149 members were recorded as being in attendance.

[See Yea and Nay No. 255 in Supplement.]

Therefore a quorum was present.

*Motions to Discharge Certain Matters
in the Orders of the Day.*

Upton,—
town clerk.

The Senate Bill relative to the town clerk in the town of Upton (Senate, No. 1855), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time, under suspension of Rule 47, on motion of Mr. Kafka of Stoughton; and it was passed to be engrossed, in concurrence.

The following House bills, having been reported by the committee on Bills in the Third Reading to be correctly drawn, were discharged from their position in the Orders of the Day, read a third time forthwith, under suspension of Rule 47, in each instance, on motion of Mr. Kafka of Stoughton:

Ipswich,—
annual election.

Validating the results of the annual election held in the town of Ipswich on May 21, 2013 (House, No. 3717);

Chrystal
Bonner,—
sick leave.

Establishing a sick leave bank for Chrystal Bonner, an employee of the Executive Office of Health and Human Services (House, No. 3750); and

Establishing a sick leave bank for India Haith, an employee of the Executive Office of Health and Human Services (House, No. 3751);
 Severally were passed to engrossed. Severally sent to the Senate for concurrence.

India Haith,—
 sick leave.

The House Bill relative to manslaughter (House, No. 1534), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. O'Flaherty of Chelsea.

Manslaughter.

After remarks on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays at the request of the same member; and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill passed to
 be engrossed,—
 yea and nay
 No. 256.

[See Yea and Nay No. 256 in Supplement.]

Therefore the bill (House, No. 1534) was passed to be engrossed. Sent to the Senate for concurrence.

Reports of Committees.

By Mr. Murphy of Weymouth, for the committee on Election Laws, on House, No. 638, a Bill relative to the date of the 2014 biennial state primaries (House, No. 3764). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Biennial
 state
 primaries,—
 date.

Mr. Kafka of Stoughton, for said committee, reported recommending that the bill be scheduled for consideration by the House.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. Scaccia of Boston, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Murphy of Weymouth; and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill passed to
 be engrossed,—
 yea and nay
 No. 257.

[See Yea and Nay No. 257 in Supplement.]

Therefore the bill was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At sixteen minutes before four o'clock P.M. (Monday, November 18, 2013), on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until the following day at eleven o'clock A.M.; and at that time the House was called to order with Mr. Donato of Medford in the Chair.

Recess.



Tuesday, November 19, 2013 (at 11:00 o'clock A.M.).

Pledge of allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Resignation of Representative Humason of Westfield.

The following communication was read; and spread upon the records of the House, as follows:

November 14, 2013.

The Honorable Steven T. James
Clerk of the House of Representatives
Massachusetts State House, Room 145
Boston, MA 02133

Dear Mr. Clerk,

Resignation of Representative Humason of Westfield.

I write to notify you that I intend to resign as State Representative from the 4th Hampden District, effective upon my taking the oath of office on Wednesday, November 20, 2013, so that I may become the new State Senator from the 2nd Hampden & Hampshire District.

It has been my honor and privilege to serve the people of the Commonwealth of Massachusetts as Westfield's State Representative for the past 11 years. I have genuinely enjoyed working with you, your staff, and all the members of the House of Representatives.

If I may ever be of service to you please feel free to call upon me. Thank you.

Sincerely yours,

DONALD F. HUMASON, JR.,
State Representative,
4th Hampden District.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Wilmington heroes.

Resolutions (filed by Messrs. Gordon of Bedford and Miceli of Wilmington) congratulating the local heroes of Wilmington; and

Jared Teixeira.

Resolutions (filed by Representatives Heroux of Attleboro and Poirier of North Attleborough) congratulating Jared Teixeira on receiving the Eagle Scout Award of the Boy Scouts of America;

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Ms. Khan of Newton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

Plymouth County Registry of Deeds.

A communication from the Plymouth County Registry of Deeds (pursuant to Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditures for technological improvements from the County Registers Technological Fund [copies of said communica-

tion were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law], was placed on file.

Petitions.

Mrs. Haddad of Somerset being the Chair,—

Mr. Peterson of Grafton presented a petition (subject to Joint Rule 12) of George N. Peterson, Jr., and Michael O. Moore that the Grafton water district be authorized to exchange certain parcels of land with the Department of Fish and Game; and the same was referred, under Rule 24, to the committee on Rules.

Grafton,—
land.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Peterson, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

By Messrs. Cabral of New Bedford and Schmid of Westport, a petition (subject to Joint Rule 12) of Antonio F. D. Cabral, Paul A. Schmid, III and Robert M. Koczera for legislation to establish a fire prevention tax credit for historic building; and the same was referred, under Rule 24, to the committee on Rules.

Historic
buildings,—
fire
prevention.

Papers from the Senate.

A Bill establishing a sick leave bank for Joshua Rocha, an employee of the Department of Correction (Senate, No.1923) (on Senate bill No. 1896), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Joshua
Rocha,—
sick leave.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mrs. Poirier of North Attleboro, the bill was read a second time forthwith; and it was ordered to a third reading.

A Bill authorizing the town of Arlington to establish a special account for the purchase, installation and maintenance of public works of art (Senate, No. 1794) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Arlington,—
works of art.

Reports of Committees.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the board of assessors of the town of Newbury to grant an abatement of real estate taxes to certain Plum Island homeowners for fiscal year 2013 (Senate, No. 1909) [Local Approval Received], be scheduled for consideration by the House.

Plum Island,—
tax
abatement.

Under suspension of Rule 7A, on motion of Mr. Koczera of New Bedford, the bill was read a second time forthwith; and it was ordered to a third reading.

Kevin
Houston,—
bridge.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill designating a certain overpass in the town of Barnstable as the U.S. Navy SEAL Kevin A. Houston Veterans Memorial (House, No. 3101), be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mrs. Harrington of Groton, the bill was read a second time forthwith; and it was ordered to a third reading.

Rita
Singer,—
bridge.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill designating a certain bridge in the city of Revere as the Rita Singer bridge (House, No. 3649), be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. O'Day of West Boylston, the bill was read a second time forthwith; and it was ordered to a third reading.

Dartmouth,—
roadways.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Dartmouth to accept certain roadways as public ways (House, No. 3697) [Local Approval Received], be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mrs. Fiola of New Bedford, the bill was read a second time forthwith; and it was ordered to a third reading.

Breast
cancer.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to breast cancer early detection (House, No. 3733), be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Ms. Peisch of Wellesley, the bill was read a second time forthwith; and it was ordered to a third reading.

Emergency Measure.

Janet
Soboleski,—
sick leave.

The engrossed Bill establishing a sick leave bank for Janet Soboleski, an employee of the Department of Mental Health (see House, No. 3682), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

Bill
enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill.

Engrossed bills

Bills
enacted.

Relative to the town clerk of the town of Upton (see Senate, No. 1855) (which originated in the Senate);

Relative to the town treasurer-collector in the town of Hingham (see House, No. 3550); and

Relative to the date of the 2014 biennial state primaries (see House, No. 3764);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Recess.

At nine minutes after eleven o'clock A.M. (Tuesday, November 19), on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at eighteen minutes after one o'clock P.M., the House was called to order with Mr. Donato in the Chair.

Recess.

Reports of Committees.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill financing information technology equipment and related projects (printed in House, No. 3330), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 3770).

Information technology,— financing.

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— that the bill be amended by substitution of a bill with the same title (House, No. 3708),— and the amendment recommended by the committee on Ways and Means, pending.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets was rejected.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently (Mrs. Haddad of Somerset being in the Chair), under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Peterson of Grafton asked for a count of the House to ascertain if a quorum was present. The Chair (Mrs. Haddad of Somerset), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 151 members were recorded as being in attendance.

Quorum,— yea and nay No. 258.

[See Yea and Nay No. 258 in Supplement.]

Therefore a quorum was present.

Subsequently a statement of Ms. Decker of Cambridge was spread upon the records as follows:

Statement of
Ms. Decker
of Cambridge.

MR. SPEAKER: I would like to call to the attention of the House the fact that, during the previous quorum roll call, I was absent from the House Chamber on official business in another part of the State House and therefore was not recorded as being present. My missing of the quorum roll call was due entirely to the reason stated.

After remarks on the question on passing the bill to be engrossed, Mr. Jones of North Reading moved to amend it in section 11, in line 192, by striking out the date "May 1, 2014" and inserting in place thereof the date "April 1, 2014"; and the amendment was adopted.

Bill passed to
be engrossed,—
yea and nay
No. 259.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Cabral of New Bedford; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 259 in Supplement.]

Therefore the bill, as amended, was passed to be engrossed. The bill (House, No. 3770, amended) then was sent to the Senate for concurrence.

Boston,—
land.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to authorizing the Division of Capital Asset Management and Maintenance to convey certain parcel of state owned land to the city of Boston (House, No. 3673), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 3771). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Dempsey of Haverhill, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

*Motions to Discharge Certain Matters
in the Orders of the Day.*

Price
adjustments.

The engrossed Bill relative to price adjustments for certain materials in construction projects (see House, No. 3562), being a printed copy of section 45 contained in the engrossed Bill making appropriations for the fiscal year 2014 (see House, No. 3538), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment G of House, No. 3566), was taken from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted.

The amendment recommended by the Governor then was rejected.

Mr. Dempsey then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. Chapter 30 of the General Laws is hereby amended by inserting after section 38 the following section:—

Section 38A. Contracts for road and bridge projects awarded as a result of a proposal or invitation for bids under section 39M of this chapter shall include a price adjustment clause for each of the following materials: fuel, both diesel and gasoline; asphalt; concrete; and steel. Contracts for water and sewer projects awarded as a result of a proposal or invitation for bids under section 39M of this chapter shall include a price adjustment clause for fuel, both diesel and gasoline; liquid asphalt; and portland cement contained in cast-in-place concrete. A base price for each material shall be set by the awarding authority or agency and shall be included in the bid documents at the time the project is advertised. The awarding authority or agency shall also identify in the bid documents the price index to be used for each material. The price adjustment clause shall provide for a contract adjustment to be made on a monthly basis when the monthly cost change exceeds plus or minus 5 per cent.

SECTION 2. Section 1 shall apply only to projects which are advertised for bid after January 1, 2014.”

The amendment was adopted. Sent to the Senate for its action.

The Senate Bill authorizing the town of Belchertown to convey certain land (Senate, No. 1887), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day, and read a third time, under suspension of Rule 47, on motion of Mr. Speliotis of Danvers.

Belchertown,—
land.

Pending the question on passing the bill to engrossed, Mr. Petrolati of Ludlow moved to amend it by striking out section 4 and inserting in place thereof the following section:

“SECTION 4. Notwithstanding chapter 30B of the General Laws, or any other general or special law to the contrary, and subject to the provisions of Article XCVII of the Amendments to the Constitution, the town of Belchertown may transfer the care, custody, management and control of a certain parcel of land acquired for conservation and passive recreation purposes from the board of selectman and the conservation commission, to the board of selectman for the purpose of conveyance to Roland A. Leclerc. The parcel is shown as ‘Parcel A’ on a plan of land entitled ‘Plan of Land in Belchertown, MA Prepared for Roland Leclerc,’ dated October 15, 2010 recorded with the Hampshire registry of deeds in plan book 225, page 82, containing 0.584 acres, more or less, according to the plan, the parcel being inadvertently included in the deed from Roland A. Leclerc to the town recorded in book 10587, page 250. The board of selectman may convey the parcel to Roland A. Leclerc for such consideration, including nominal consideration, as the board of selectmen may deem appropriate.”

The amendment was adopted; and the bill (Senate, No. 1887, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

The House Bill relative to a land conveyance in the town of Littleton (House, No. 3642), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day, and read a third time, under suspension of Rule 47, on motion of Mr. Arciero of Westford; and it was passed to be engrossed. Sent to the Senate for concurrence.

Littleton,—
land.

Newton,—
land.

The House Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain land to the city of Newton (House, No. 3669), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day, and read a third time, under suspension of the rules, on motion of Ms. Balser of Newton.

Pending the question on passing the bill to engrossed, the same member moved to amend it by inserting before the enacting clause the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide for the conveyance of certain land from the commonwealth to the city of Newton, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 3669, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Quorum.

Quorum.

Mr. Peterson of Grafton then asked for a count of the House to ascertain if a quorum was present. The Chair (Mrs. Haddad of Somerset), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,—
yea and nay
No. 260.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call (the Speaker being in the Chair) 152 members were recorded as being in attendance.

[See Yea and Nay No. 260 in Supplement.]

Therefore a quorum was present.

Valedictory Address.

Valedictory
address.

There being no objection, Mr. Humason of Westfield then addressed the House regarding his departure from service in the House of Representatives.

Recess.

Recess.

At sixteen minutes after three o'clock P.M. (Tuesday, November 19), on motion of Mr. Peterson of Grafton (Mrs. Haddad of Somerset being in the Chair), the House recessed until the following day at eleven o'clock A.M.; and at seven minutes after eleven o'clock the House was called to order with Mr. Donato in the Chair.

Wednesday, November 20, 2013 (at 11:07 o'clock A.M.).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Guests of the House.

During the session, the Speaker took the Chair, declared a brief recess, and introduced a group of students, teachers, and parents from the Kehillah Schechter Academy of Norwood. The students, led by Rabbi David Paskin, sang the song "The Ballard of Thanksgivukkah", which was written by Rabbi Paskin. They were the guests of Speaker DeLeo of Winthrop and Representatives Rogers of Norwood and Kafka of Stoughton.

Kehillah
Schechter
Academy of
Norwood.

Petitions.

Ms. Benson of Lunenburg presented a petition (accompanied by bill, House, No. 3776) of Jennifer E. Benson and James B. Eldridge (by vote of the town) that the town of Acton be authorized to transfer certain forest land to general municipal purposes; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Acton,—
town
forest.

Mr. Fallon of Malden presented a petition (subject to Joint Rule 12) of Christopher G. Fallon and Paul J. Donato for legislation to establish a sick leave bank for Joseph W. Teta, an employee of the Trial Court; and the same was referred, under Rule 24, to the committee on Rules.

Joseph W.
Teta,—
sick leave.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Ms. Peake of Provincetown, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Ms. Peake of Provincetown presented a petition (subject to Joint Rule 12) of Sarah K. Peake and others relative to the fines for the illegal taking of eels and elvers; and the same was referred, under Rule 24, to the committee on Rules.

Eels and
elvers,—
fines.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Ms. Peake, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Papers from the Senate.

A Bill to clarify the joint use and operation of Spectacle Island (Senate, No. 1488) (on a petition), passed to be engrossed by the Senate, was read.

Spectacle
Island.

Spectacle
Island.

Under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under further suspension of the rules, on motion of Mr. Basile of Boston, the bill (reported by the committee on Bills in the Third reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence.

Simulcasting.

A Bill further regulating the simulcasting of horse races (Senate, No. 1928) (on Senate bill No. 1895), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means. Subsequently Mr. Dempsey of Haverhill, for said committee, reported that the foregoing bill ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of rules, on motion of Mr. Dempsey of Haverhill, the bill was read a second and (having been reported by the committee on Bills in the Third Reading to correctly drawn) a third time; and it was passed to be engrossed, in concurrence.

Beverly,—
land.

A Bill authorizing the Secretary of the Massachusetts Department of Transportation to convey and acquire certain parcels of land in the city of Beverly (Senate, No. 1901) (on a petition), passed to be engrossed by the Senate, was read.

Under suspension of the rules, on motion of Mr. Parisella of Beverly, the bill was read a second and (having been reported by the committee on Bills in the Third Reading to correctly drawn) a third time forthwith; and it was passed to be engrossed, in concurrence.

Norfolk and
Walpole,—
land.

A Bill designating and transferring certain land in the towns of Norfolk and Walpole for conservation, open space, water supply protection, and recreational purposes (Senate, No. 1936) (on Senate bill No. 1560), was read.

Under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under further suspension of the rules, on motion of Mr. Roger of Norwood, the bill (reported by the committee on Bills in the Third Reading to correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence.

New England
Power
Company.

A Bill authorizing the city of Gardner to convey certain land to New England Power Company (Senate, No. 1893) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Zlotnik of Gardner, the bill was read a second and (having been reported by the committee on Bills in the Third reading to be correctly drawn) a third time; and it was passed to be engrossed, in concurrence.

Bills

Relative to voluntary towing reform (Senate, No. 1924) (on Senate bill No. 1917); Towing.

Regulating secondary metals dealing (Senate, No. 1929) (on Senate bill No. 1916); and Secondary metals.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A Bill regulating the use of buprenorphine in opioid dependence treatment (Senate, No. 1926) (on Senate bill No. 907), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Opioid dependence treatment.

A petition of Stephen M. Brewer and Denise Andrews (by vote of the town) for legislation to authorize the Massachusetts Highway Department to grant certain easements in the town of Petersham, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Transportation. Petersham,—highway easments.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1927) was referred, in concurrence, to the committee on Transportation.

*Motions to Discharge Certain Matters
in the Orders of the Day.*

The Senate amendment of the House Bill authorizing the town of Mashpee to convey an interest in certain town owned land to the town of Barnstable (House, No. 3579), was taken from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Vieira of Falmouth. Mashpee,—land.

The committee on Bills in the Third Reading reported recommending that the House concur with the Senate in its amendment with further amendments in section 3 (as inserted by the Senate), at the end of the first sentence, by striking out the words “without compensation”; and by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize the town of Mashpee to convey an interest in certain town owned land to the town of Barnstable, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and the report was accepted.

The further amendments were adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendments.

The Senate Bill authorizing the lease of certain property in the town of Ludlow (Senate, No. 1769, changed), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day and read a third time, under suspension of Rule 47, on motion of Mr. Petrolati of Ludlow; and it was passed to be engrossed, in concurrence. Ludlow,—property lease.

Fluid
storage
tanks.

The House Bill relative to certain tanks used for the storage of fluids (House, No. 699, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day and read a third time, under suspension of Rule 47, on motion of Mr. Fernandes of Milford; and it was passed to be engrossed. Sent to the Senate for concurrence.

Springfield,—
land.

The House Bill authorizing the city of Springfield to exchange parcels of land (House, No. 3226), was taken from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Curran of Springfield.

The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a bill with the same title (House, No. 3784); and the report was accepted.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Portable
electronics,—
insurance.

The House Bill relative to portable electronics insurance (House, No. 3541, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day and read a third time, under suspension of Rule 47, on motion of Mr. Mariano of Quincy.

Pending the question on passing the bill to be engrossed, the same member moved to amend it—amended by the House in section 1, after line 19, by inserting the following paragraph:

“‘Portable electronics insurance license’ or ‘license’, a license as defined in section 162H issued for the sale, solicitation or negotiation of portable electronics insurance that authorizes the vendor to sell, solicit or negotiate limited lines insurance as defined in said section 162H.”; in lines 28, 30 and 68, by striking out the words “limited lines” and inserting in place thereof, in each instance, the words “portable electronics insurance”; in lines 82 and 83, by striking out the words “a non limited lines licensed insurance producer” and inserting in place thereof the words “having a portable electronics insurance license”; and in line 172 by striking out the words “limited lines” and inserting in place thereof the word “insurance”; and, in section 2, in line 179, by striking out the word “license” and inserting in place thereof the following: “portable electronics insurance license, as defined in subsection (a) of section 162Y of chapter 175 of the General Laws.”

The amendment was adopted; and the bill (House, No. 3541, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Boston,—
land.

The House Bill relative to authorizing the Division of Capital Asset Management and Maintenance to convey certain parcel of state owned land to the city of Boston (House, No. 3771), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day and read a third time, under suspension of the rules, on motion of Mr. Dempsey of Haverhill; and it was passed to be engrossed. Sent to the Senate for concurrence.

Mental
health
treatment.

The House Bill relative to enhancing access to mental health treatment (House, No. 3704), was taken from its position in the Orders of

the Day and read a second time forthwith, under suspension of rules, on motion of Ms. Balsler of Newton; and it was ordered to a third reading.

Recesses.

At thirteen minutes after eleven o'clock A.M. (Wednesday, November 20), on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at that time the House was called to order with the Mr. Donato in the Chair.

Recesses.

The House thereupon took a further recess, on further motion of Mr. Wong, subject to the call of the Chair; and at twenty-nine minutes before two o'clock the House was called to order with Mr. Donato of Medford in the Chair.

The House thereupon took a further recess, on motion of Mr. O'Day of Worcester, until two o'clock P.M.; and at that time the House was called to order with Mr. Donato in the Chair.

Engrossed Bills — Land Takings.

The engrossed Bill authorizing the town of Belchertown to convey certain land (see Senate, No. 1887, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Belchertown,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call (the Speaker having been in the Chair) 155 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 261.

[See Yea and Nay No. 261 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Mr. Donato of Medford being in the Chair,—

The engrossed Bill relative to certain parcels of land in the city of Northampton and the town of Williamsburg (see House, No. 3619) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Northampton
and
Williamsburg,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 262.

[See Yea and Nay No. 262 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill.

The engrossed Bill authorizing the lease of certain property in the town of Ludlow (see Senate, No. 1769, changed) (which originated in the Senate), having been certified by the Clerk to be rightly and truly

Bill
enacted.

prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Reports of Committees.

Election laws.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to election laws (House, No. 3647), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 3772). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means was adopted; and the substituted bill (House, No. 3772) was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. Murphy of Weymouth, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time;

After debate on the question on passing the bill to be engrossed, Mr. Hecht of Watertown moved to amend it in section 4, in lines 32 and 33, by striking out the words "the website shall inform the user how he or she may obtain a voter registration form" and inserting in place thereof the words "or if the voter's registration is inactive, the website shall inform the user how he or she may obtain a voter registration form or restore his or her registration to active status".

Amendment adopted,—yea and nay No. 263.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of the same member; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 263 in Supplement.]

Therefore the amendment was adopted.

Mr. Speliotis of Danvers then moved to amend the bill in section 5, in lines 39 to 43, inclusive, by striking out the sentence contained therein and inserting in place thereof the following sentence: "The voting period for early voting shall begin on the eleventh day before the primary or election and continue through the second day before the primary or election during the regular or normal business hours of the city or town clerk; provided, however, that if the eleventh day before the primary or election falls on a legal holiday the early voting period shall begin on the first weekday prior thereto.", and, in line 64 by striking out the following: "10 business days in advance of the early voting" and inserting in place thereof the following: "21 days in advance of the primary or election.". The amendments were adopted.

After remarks Mr. Jones of North Reading and other members of the House moved to amend the bill by striking out sections 2 and 3.

Amendment rejected,—yea and nay No. 264.

On the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of Mr. Peterson of Grafton; and on the roll call 27 members voted in the affirmative and 128 in the negative.

[See Yea and Nay No. 264 in Supplement.]

Therefore the amendment was rejected.

Mr. Lewis of Winchester and other members of the House then moved to amend the bill in section 7, in line 96, by inserting after the word “turnout.” the following sentence: “Said study shall also include an analysis of, and recommendations to, facilitate more accessible voter registration, including, but not limited to, pre-registration for seventeen year olds, and same-day registration.”. The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill in section 5, in line 85, by inserting after subsection (m) the following subsection:

“(n) The provisions of section 72 of this chapter shall not apply to this section.”; and by inserting after section 6 the following section:

“SECTION 6A. Section 72 of chapter 54 of the General Laws is hereby amended by inserting, in line 6, after the word ‘elections’ the following:— ; provided that, this section shall not apply to section 25b of this chapter.”.

The amendments were adopted.

The Speaker being in the Chair,—

Mr. O’Flaherty of Chelsea thereupon asked for a count of the House to ascertain if a quorum was present. The Speaker having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 153 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 265.

[See Yea and Nay No. 265 in Supplement.]

Therefore a quorum was present.

Subsequently a statement of Mr. Miceli of Wilmington was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was absent from the House Chamber on official business in another part of the State House for that taking of the previous quorum roll call, and therefore I was not recorded as being present. My missing of the quorum roll call was due entirely to the reason stated.

Statement of
Mr. Miceli
of Wilmington.

There being no objection, Mr. Walsh of Boston then addressed the House regarding his departure from service in the House of Representatives, to assume the office of Mayor of the city of Boston.

Valedictory
address.

Mr. Donato of Medford being the Chair,—

Mr. deMacedo of Plymouth and other members of the House then moved to amend the bill [A]in section 5, in line 85 by inserting after subsection (m) the following:

“(n) Any person who casts a ballot during early voting shall be required to present a valid photo identification. For the purposes of this section, ‘valid photo identification’ shall mean a document that:

(1) shows the name of the individual to whom the document was issued, and the name conforms to the name of the individual’s voter registration record;

(2) shows a photograph of the individual to whom the document was issued;

(3) includes an expiration date, and the document is not expired or expired after the date of the most recent general election; and

(4) was issued by the commonwealth of Massachusetts or the government of the United States.

Election
laws.

A person seeking to vote that does not provide sufficient valid photo identification as defined in this section may be challenged under section 85 of this chapter.”; and by adding at the end thereof the following two sections:

“SECTION 10. Section 8E of Chapter 90 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended at the end of the first paragraph thereof by adding the following language:— The Registry shall establish a waiver for indigent persons to obtain an identification card at no cost.

SECTION 11. Chapter 90 of the General Laws, as so appearing, is hereby amended by inserting after Section 61 the following new sections:—

Section 62. (a) The Registry of Motor Vehicles shall establish a definition of ‘indigency’ for the purposes of this chapter and uniform standards and procedures for the determination that: (1) a person is indigent and is unable to afford an identification card or (2) a person is indigent, but has the ability to pay a reduced fee for an identification card. The definition and standards, and any amendments thereto, shall be used by the registry in determining eligibility for a free identification card. In the formulation of the definition, standards and procedures, the registry shall utilize: (1) the reporting system operated by the commissioner of transitional assistance for the purpose of verifying financial eligibility of participants in state or federally funded programs; (2) the accessibility of income data available from the department of revenue; and (3) verifying material assets through the registry of motor vehicles.

(b) A person claiming indigency under subsection (a) shall execute a waiver authorizing the registrar, or the registrar’s designee, to obtain the person’s wage, tax and asset information from the department of revenue, department of transitional assistance and within the registry of motor vehicles that the registry may find useful in verifying the person’s claim of indigency. The waiver shall authorize the registrar, or the registrar’s designee, to conduct any further reassessment required by this section.

(c) It shall be the responsibility of the registrar to ensure that a person claiming to be indigent meets the definition of indigency under subsection (a). A person seeking an indigency waiver shall be interviewed by the registrar or the registrar’s designee prior to the granting of a waiver. The person conducting the interview shall explain to the person seeking the waiver: (1) the definition of indigency; (2) the process used to verify the person’s information with other state agencies; and (3) the penalties for misrepresenting financial information in applying for an indigency waiver. The registrar or the registrar’s designee conducting the interview shall prepare a written indigency intake report that shall record the results of the interview and state a recommendation on whether or not the person seeking the waiver is indigent. The person seeking the waiver and the registrar or the registrar’s designee conducting the interview shall sign the indigency intake report. In signing the report, the person seeking the waiver shall certify under the pains and penalties of perjury that the information contained therein is true and that the person has not concealed any information relevant to the person’s financial status. All statements contained in the report shall be deemed material statements. The completed report shall be

presented to the registrar who may adopt or reject the recommendations in the report, either in whole or in part.”

Pending the question on adoption of the amendments, Mr. Murphy of Weymouth moved to amend them by striking out the text of said amendments [at “A”] and inserting in place thereof the following:— in section 5, in line 85 by inserting after subsection (m) the following:

“(n) Any person who casts a ballot during early voting shall be required to present a valid photo identification. For the purposes of this section, ‘valid photo identification’ shall mean a document that:

(1) shows the name of the individual to whom the document was issued, and the name conforms to the name of the individual’s voter registration record;

(2) shows a photograph of the individual to whom the document was issued;

(3) includes an expiration date, and the document is not expired or expired after the date of the most recent general election; and

(4) was issued by the commonwealth of Massachusetts or the government of the United States.

A person seeking to vote that does not provide sufficient valid photo identification as defined in this section may be challenged under section 85 of this chapter.

Notwithstanding any special or general law to the contrary, the provisions of this subsection shall not take effect until such time as: (i) the executive office of administration and finance and the secretary of the commonwealth have furnished a study of its impact on the state’s economy and the revenue cost to the commonwealth, including, but not limited to, a distributional analysis showing the impacts, if any, on the commonwealth’s anticipated revenues for the current fiscal year, the balance of the commonwealth’s stabilization fund, and any anticipated change in employment and ancillary economic activity; and (ii) legislation necessary to carry out any recommendations in the study has been filed and enacted pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”; and by adding the following two sections:

“SECTION 10. Section 8E of Chapter 90 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended at the end of the first paragraph thereof by adding the following language:— The Registry shall establish a waiver for indigent persons to obtain an identification card at no cost.

Notwithstanding any special or general law to the contrary, the provisions of this section shall not take effect until such time as: (i) the executive office of administration and finance and the secretary of the commonwealth have furnished a study of its impact on the state’s economy and the revenue cost to the commonwealth, including, but not limited to, a distributional analysis showing the impacts, if any, on the commonwealth’s anticipated revenues for the current fiscal year, the balance of the commonwealth’s stabilization fund, and any anticipated change in employment and ancillary economic activity; and (ii) legislation necessary to carry out any recommendations in the study has been filed and enacted pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.

SECTION 11. Chapter 90 of the General Laws, as so appearing, is hereby amended by inserting after Section 61 the following new sections:—

Election
laws.

Section 62. (a) The Registry of Motor Vehicles shall establish a definition of 'indigency' for the purposes of this chapter and uniform standards and procedures for the determination that: (1) a person is indigent and is unable to afford an identification card or (2) a person is indigent, but has the ability to pay a reduced fee for an identification card. The definition and standards, and any amendments thereto, shall be used by the registry in determining eligibility for a free identification card. In the formulation of the definition, standards and procedures, the registry shall utilize: (1) the reporting system operated by the commissioner of transitional assistance for the purpose of verifying financial eligibility of participants in state or federally funded programs; (2) the accessibility of income data available from the department of revenue; and (3) verifying material assets through the registry of motor vehicles.

(b) A person claiming indigency under subsection (a) shall execute a waiver authorizing the registrar, or the registrar's designee, to obtain the person's wage, tax and asset information from the department of revenue, department of transitional assistance and within the registry of motor vehicles that the registry may find useful in verifying the person's claim of indigency. The waiver shall authorize the registrar, or the registrar's designee, to conduct any further reassessment required by this section.

(c) It shall be the responsibility of the registrar to ensure that a person claiming to be indigent meets the definition of indigency under subsection (a). A person seeking an indigency waiver shall be interviewed by the registrar or the registrar's designee prior to the granting of a waiver. The person conducting the interview shall explain to the person seeking the waiver: (1) the definition of indigency; (2) the process used to verify the person's information with other state agencies; and (3) the penalties for misrepresenting financial information in applying for an indigency waiver. The registrar or the registrar's designee conducting the interview shall prepare a written indigency intake report that shall record the results of the interview and state a recommendation on whether or not the person seeking the waiver is indigent. The person seeking the waiver and the registrar or the registrar's designee conducting the interview shall sign the indigency intake report. In signing the report, the person seeking the waiver shall certify under the pains and penalties of perjury that the information contained therein is true and that the person has not concealed any information relevant to the person's financial status. All statements contained in the report shall be deemed material statements. The completed report shall be presented to the registrar who may adopt or reject the recommendations in the report, either in whole or in part.

(d) Notwithstanding any special or general law to the contrary, the provisions of this section shall not take effect until such time as: (i) the executive office of administration and finance and the secretary of the commonwealth have furnished a study of its impact on the state's economy and the revenue cost to the commonwealth, including, but not limited to, a distributional analysis showing the impacts, if any, on the commonwealth's anticipated revenues for the current fiscal year, the balance of the commonwealth's stabilization fund, and any anticipated change in employment and ancillary economic activity; and (ii) legislation necessary to carry out any recommendations in the study

has been filed and enacted pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”.

After debate on the question on adoption of the further amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 117 members voted in the affirmative and 36 in the negative.

Further
amendments
adopted,—
yea and nay
No. 266.

[See Yea and Nay No. 266 in Supplement.]

Therefore the further amendments were adopted, thus precluding a vote on the pending amendments.

Mr. Lombardo of Billerica then moved to amend the bill by adding the following section:

“SECTION 1. Chapter 54 of the General Laws is hereby amended by striking out section 76B as appearing in the 2010 Official Edition, and inserting in place thereof the following section:—

Section 76B. (a) A person desiring to vote, who fails to present valid photo identification when so requested by an election officer, shall not be permitted to vote.

(b) A person shall meet the requirements of this section and be permitted to vote:

(1) in the case of a person who votes in person: presents to the appropriate election officer a current and valid photo identification and, if requested by an election officer, appropriate proof of address such as a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or

(2) in the case of a person who votes by absentee ballot, submits with the ballot a copy of a current and valid photo identification.

(c) A person who desires to vote in person but does not satisfy clause (1) of paragraph (b) may cast a provisional ballot under section 76C, which shall only be counted if said person complies with the provisions of clause (1) of paragraph (b) within the time allotted in section 76(C).

(d) A person who desires to vote by absentee ballot but who does not meet the requirements of clause (2) of paragraph (b) may return the absentee ballot by mail, and the ballot shall be treated as a provisional ballot pursuant to section 76C, which shall only be counted if said person complies with the provisions of clause (2) of paragraph (b) within the time allotted in section 76C.

(e) Nothing herein shall prevent a ballot from being challenged under section 85.

(f) This section shall not apply to a person who:

(1) is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. sections 1973ff-1 et seq.;

(2) is provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act, 42 U.S.C. section 1973ee-1(b)(2); or

(3) is otherwise entitled by federal law to vote otherwise than in person.

(g) Valid photo identification shall include Massachusetts Drivers License, Massachusetts ID as issued by the Registry of Motor Vehicles, U.S. Passport, U.S. Military ID, U.S. Citizenship Certificate, Massachusetts License to Carry Firearms, Valid tribal photo ID, and

Election laws.

Valid employee ID card containing a photograph from any branch, department, agency, or entity of the U.S. Government.

(h) Any person who has not already been issued an unexpired driver’s license or photo identification from the Registry of Motor Vehicles, and who affirms that he or she cannot afford such a photo identification, shall be entitled to a waiver of the fee associated with obtaining a photo identification from the Registry of Motor Vehicles. The cost to provide these IDs will be paid for from the Auto Inspection Trust Fund. If adequate funding is unavailable in the Auto Inspection Trust Fund, the remaining balance will be funded through the general fund.”.

Point of order.

Mr. McMurtry of Dedham thereupon raised a point of order that the amendment offered by the gentleman from Billerica was beyond the scope of the subject-matter currently before the House.

In answer to the point of order, the Chair (Mr. Donato of Medford) stated that the amendment offered by the gentleman from Billerica was improperly before the House for the reason that it went beyond the scope of the pending bill. Therefore, the Chair ruled that the point of order was well taken; and the amendment was laid aside accordingly.

Appeal from decision of Chair.

Mr. Lombardo thereupon appealed the decision of the Chair; and the appeal was seconded by Mr. Kuros of Uxbridge.

The question was then put “Shall the decision of the Chair stand as the judgment of the House?”.

Decision of Chair sustained,—yea and nay No. 267.

On the appeal from the decision of the Chair, the sense of the House was taken by yeas and nays, at the request of Mr. Lombardo; and on the roll call 122 members voted in the affirmative and 31 in the negative.

[See Yea and Nay No. 267 in Supplement.]

Therefore the decision of the Chair was sustained.

Messrs. Rogers of Cambridge and Murphy of Weymouth then moved to amend the bill by striking out section 7 (as amended) and inserting in place thereof the following section:

“SECTION 7. (a) There shall be established an elections task force. The task force shall undertake a study of the effectiveness of the first election involving early voting pursuant to section 25B of chapter 54 of the General Laws. Said study shall include an analysis of: (1) the state and local costs of providing early voting; (2) the administrative requirements of implementing and providing early voting, including their impact on municipal clerks offices during the early voting period; (3) any instance of fraudulent voting or voter impersonation; (4) success in reducing the length of lines, waiting therein, and congestion at polling places on election day; (5) success in increasing voter turnout; and (6) the efficacy of checking names in early voting locations pursuant to section 67 of chapter 54 of General Laws, notwithstanding use of voting machines in that city or town.

(b) The task force shall consist of the house and senate chairs of the joint committee on election laws; the speaker of the house of representatives or a designee; the president of the senate or a designee; the house minority leader or a designee; the senate minority leader or a designee; the state secretary or a designee; 1 representatives of the Massachusetts Town Clerks Association; 1 representative of the Massachusetts City Clerks. Association; and 1 representative of the election

laws advocacy community designated by the chairmen of the joint committee on election laws.

(c) The task force shall submit its report and recommendations, together with drafts of legislation to carry its recommendations into effect, to the joint committee on election laws and the state secretary no later than April 1, 2017.”

The amendment was adopted.

Mr. Murphy of Weymouth then moved to amend the bill by striking out section 5 and inserting in place thereof the following section:

“SECTION 5. Chapter 54 of the General Laws is hereby amended by inserting after section 25A the following section:—

Section 25B. (a) The local election officers and registrars of every city or town shall provide for a period of early voting for a qualified voter, as defined in section 1 of chapter 51, in order to cast a ballot during any election involving a presidential primary or presidential election.

(b) The voting period for early voting shall begin on the eleventh day before the primary or election and continue through the second day before the primary or election during the regular or normal business hours of the city or town clerk; provided, however, that if the eleventh day before the primary or election falls on a legal holiday the early voting period shall begin on the first weekday prior thereto. A city or town may, in addition to providing for early voting during regular or normal business hours and at the discretion of the registrars for the city or town, provide for additional early voting hours beyond the regular or normal hours, including weekend hours.

(c) For the purposes of early voting, an early voting location shall include a city hall election office and a town hall clerk’s office; provided, however, that if the office is deemed unavailable or unsuitable for the purposes of early voting, the registrars of each city or town may identify and provide for an alternative centrally-located, suitable and convenient early voting location within each city or town for use during the early voting period. A city or town may also provide for additional early voting locations at the discretion of the registrars for that city or town. Each early voting location shall be accessible to persons with disabilities.

(d) The registrars for each city or town shall publish the location of the early voting location as well as the applicable dates and hours. Publication shall occur during the week prior to the commencement of the early voting period and at least once during the period. Notice of the location, dates and hours of early voting shall be sent to every newspaper listed in the New England Newspaper Directory, located in that city or town. Notice of the locations, dates and hours of early voting shall also be conspicuously posted in the office of the city clerk or in the principal official bulletin board of each city or town, on any other public building deemed necessary, and on the city or town’s website, if any.

(e) The state secretary shall provide a sufficient number of early voting ballots to the registrars of each city or town for use during the early voting period. The ballots shall be delivered to the registrars of each city or town 21 days in advance of the primary or election.

(f) Early voting ballots shall be provided to each qualified voter who participates in early voting.

Election laws.

(g) Prior to the commencement of early voting, the registrars for each city or town shall prepare a list for the early voting location, containing the names and residences of all persons qualified to vote therein, as the same appear upon the annual register, and shall reasonably transmit the same to the election officers at every early voting location designated by the registrars.

(h) The presiding election officer at the early voting location shall cause to be placed on the voting lists opposite the name of a qualified voter who participates in early voting the letters 'EV' designating an early voter.

(i) At the end of each day during the early voting period, the presiding election officer shall separate, compile, and record early voting ballots cast at each early voting location into the appropriate ward and precinct.

(j) The ballot boxes for early voting shall be sealed and locked and maintained securely by the election officers.

(k) The registrars for each city or town shall designate a location for the counting of early voting ballots. All totals shall be added to the totals at the relevant wards and precincts.

(l) The state secretary shall promulgate rules and regulations to implement the requirements of this section.”

The amendment was adopted.

The Speaker being in the Chair,—

After remarks on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Murphy of Weymouth; and on the roll call 142 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 268 in Supplement.]

Therefore the bill (House, No. 3772, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Engrossed Bill — Land Taking.

Littleton,—land.

The engrossed Bill authorizing the transfer of certain parcels of land in the town of Littleton (see House, No. 3642) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 269 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Emergency Measure.

Newton,—land.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the city of Newton (see House, No. 3669, amended) (which originated in the

Bill passed to be engrossed,—yea and nay No. 268.

Bill enacted (land taking),—yea and nay No. 269.

House), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 34 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),—yea and nay No. 270.

[See Yea and Nay No. 270 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Motions to Discharge Certain Matters in the Orders of the Day.

The House Bill further regulating the liability of persons rendering certain emergency medical care (House, No. 1577) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Ms. Reinstein of Revere.

Emergency medical care,—liability.

The committee on Bills in the Third Reading reported recommending that said bill be consolidated with the Senate Bill further limiting the liability of persons rendering certain emergency medical care (Senate, No. 829), likewise referred to said committee; and the report was accepted.

After remarks on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays at the request of the same member; and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill passed to be engrossed,—yea and nay No. 271.

[See Yea and Nay No. 271 in Supplement.]

Therefore the bill (House, No. 1577) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the milk producer's security fund reimbursement (House, No. 751, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time, under suspension of Rule 47, on motion of Mr. Kulik of Worthington.

Milk producer's security fund.

Pending the question on passing the bill to be engrossed, the same member moved to amend it by substitution of a bill with the same title (House, No. 3785); and the amendment was adopted.

Bill passed to
be engrossed,—
yea and nay
No. 272.

After remarks on the question on passing the substituted bill to be engrossed, the sense of the House was taken by yeas and nays at the request of the Mr. Kulik; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 272 in Supplement.]

Therefore the bill (House, No. 3785) was passed to be engrossed. Sent to the Senate for concurrence.

Emergency Measure.

Mashpee,—
land.

The engrossed Bill authorizing the town of Mashpee to convey an interest in certain town owned land to the town of Barnstable (see House, No. 3579, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 40 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 273.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 150 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 273 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Recess.

Recess.

At twenty-seven minutes before eight o'clock P.M. (Wednesday, November 20), on motion of Mrs. Haddad of Somerset (the Speaker being in the Chair), the House recessed until a quarter after eight o'clock; and at that time the House was called to order with Mr. Donato of Medford in the Chair.

Emergency Measures.

Construction
projects,—
pricing.

The engrossed Bill relative to price adjustments for certain materials in construction projects (see House, No. 3562, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 71 to 0. Sent to the Senate for concurrence.

Bill
re-enacted.

Subsequently (Mr. Donato of Medford having been in the Chair), the Senate having concurred in adoption of the emergency preamble,

the bill (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to authorizing the Division of Capital Asset Management and Maintenance to convey certain parcel of state owned land to the city of Boston (see House, No. 3771), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble. Boston,—
land.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 59 to 0. Sent to the Senate for concurrence.

Subsequently (Mr. Donato of Medford having been in the Chair), the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Bill
enacted.

Engrossed Bills.

Engrossed bills

Further regulating the simulcasting of horse races (see Senate, No. 1928) (which originated in the Senate); Bills
enacted.

Repealing the law authorizing the town of Lincoln to grant a license for the sale of wines and malt beverages to be drunk on the premises (see House, No. 3527); and

Relative to the Cohasset Board of Sewer Commissioners (see House, No. 3671);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the Speaker and sent to the Senate.

*Motion to Discharge a Certain Matter
in the Orders of the Day.*

The House Bill relative to emergency scheduling of addictive substances by the Commissioner of Public Health (House, No. 3711), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Sánchez of Boston. Addictive
substances,—
emergency
scheduling.

Pending the question on passing the bill to be engrossed, Mr. Jones of North Reading and other members of the House moved to amend it by adding the following section:

“SECTION 2. The Department of Public Health, and the Executive Office of Public Safety and Security, shall jointly study the feasibility of establishing criminal penalties for the distribution, possession and use of, and the most effective methodology for preserving the public health and safety with regard to, addictive substances that are the sub-

Addictive substances,—
emergency scheduling.

ject of an emergency order by the commissioner of public health pursuant to section 2A of chapter 94C of the General Laws. Said study shall, additionally, make recommendations on the feasibility of establishing criminal penalties for the distribution, possession and use of, and the most effective methodology for preserving the public health and safety with regard to, controlled substance analogues, as defined under 21 U.S.C. section 802.

The results of said study, together with any recommendations, shall be filed with the Clerks of the House and the Senate, the Chairpersons of the Joint Committee on Mental Health and Substance Abuse, and the Chairpersons of the Joint Committee on Public Safety, not later than December 31, 2014.”

The amendment was adopted.

Bill passed to be engrossed,—
yea and nay
No. 274.

After debate on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays at the request of Ms. Malia of Boston; and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 274 in Supplement.]

Therefore the bill (House, No. 3711, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Moment of Silent Tribute of President John F. Kennedy.

The Speaker being in the Chair,—

President John F. Kennedy.

At the request of the Speaker and all members of the House, the members, guests and employees rose for a moment of silent tribute in recognition of the fiftieth anniversary of the assassination of President John Fitzgerald Kennedy.

Suspension of Rule 1A.

Suspension of Rule 1A.

The Speaker then placed before the House the question on suspension of Rule 1A in order that the House might continue to meet to meet beyond the hour of nine o'clock P.M.

Rule 1A suspended,—
yea and nay
No. 275.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll 122 members voted in the affirmative and 29 in the negative.

[See Yea and Nay No. 275 in Supplement.]

Therefore Rule 1A was suspended.

Papers from the Senate.

Norwood,—
land.

The House Bill authorizing the town of Norwood to make certain changes in use of certain land for the construction and operation of a regional indoor ice skating rink and recreation center (House, No. 3712), came from the Senate passed to be engrossed, in concurrence, with amendments

In section 2, in line 18, inserting after the word “above” the words “or other appropriate replacement land, subject to the approval of the executive office of energy and environmental affairs”;

Striking out section 4; and

Inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the construction and operation of a

regional indoor ice skating rink and recreation center in the town of Norwood, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Under suspension of Rule 47, on motion of Mr. Rogers of Norwood, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were discharged from their position in the Orders of the Day, considered forthwith; and they were adopted, in concurrence.

The House Bill relative to automotive repair (House, No. 3757), came from the Senate passed to be engrossed, in concurrence, with amendments in section 3 Automotive
right to
repair.

In line 20, inserting after the word “otherwise.” the following paragraph:—

“ ‘Heavy duty vehicle’, any vehicle having a gross vehicle weight rating of more than 14,000 pounds; provided, however, that heavy duty vehicles built to custom specifications sold in the commonwealth for commercial purposes shall not be required to comply with subsection (d) of section 2.”

In lines 57 to 60, inclusive, striking out the following: “(vi) any vehicle with a gross vehicle weight rating of more than 14,000 pounds; (vii) any vehicle excluded from the definition of ‘motor vehicle’ in chapter 90; and (viii) a motorcycle, as defined in section 1 of chapter 90” and inserting in place thereof the words “(vi) any vehicle excluded from the definition of ‘motor vehicle’ in chapter 90; and (vii) a motorcycle, as defined in section 1 of chapter 90”.

In line 69, and also in line 89, inserting after the word “thereafter”, in each instance, the following: “and model year 2013 heavy duty vehicles and thereafter”.

In line 117 inserting after the word “commonwealth” the words “, including heavy duty vehicles that are not heavy duty vehicles built to custom specifications sold in the commonwealth for commercial purposes.”

In line 121, after the following: “J2534” (the first time it appears), inserting the following: “, Society of Automotive Engineers J1939”, and, in said line, after the following “J2534” (the second time it appears), as inserted by the House committee on Bills in the Third Reading), inserting the following: “and SAE J1939”, and

In line 122, after the following: “J2534”, by inserting the following: “, SAE J1939”; and by inserting before the enacting clause the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the availability of automotive repair information, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Under suspension of Rule 47, on motion of Mr. Speliotis of Danvers, the amendments (reported by the committee on Bills in the Third

Reading to be correctly drawn) were discharged from their position in the Orders of the Day, considered forthwith; and they were adopted, in concurrence.

Emergency Measure.

Norwood,—
land.

The engrossed Bill authorizing the town of Norwood to make certain changes in use of certain land for the construction and operation of a regional indoor ice skating rink and recreation center (see House, No. 3712, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 39 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 276.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 150 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 276 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Engrossed Bills — Land Takings.

Mr. Donato of Medford being in the Chair,—

Norfolk and
Walpole,—
land.

The engrossed Bill designating and transferring certain land in the towns of Norfolk and Walpole for conservation, open space, water supply protection, and recreational purposes (see Senate, No. 1936) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 277.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 150 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 277 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Spectacle
Island,—
land.

The engrossed Bill to clarify the joint use and operation of Spectacle Island (see Senate, No. 1488) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 150 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),—yea and nay No. 278.

[See Yea and Nay No. 278 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the city of Gardner to convey certain land to New England Power Company (see Senate, No. 1893) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Gardner,—land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 149 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),—yea and nay No. 279.

[See Yea and Nay No. 279 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Emergency Measure.

The engrossed Bill relative to automotive repair (see House, No. 3757, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Automotive repair.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 39 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Next sitting.

Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at eleven minutes after ten o'clock P.M. (Wednesday, November 20), on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.